

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

Eugene Volokh,

Plaintiff,

v.

**Williamson County Archives & Museum;
Bradley Boshers,** Archives Director for the
Williamson County Archives & Museum.
**Williamson County Circuit Court Clerk;
Debbie McMillan Barrett,** Circuit Court Clerk.

Defendants.

Case No.: 3:25-cv-00701

**PLAINTIFF’S NOTICE OF CONSTITUTIONAL
CHALLENGE TO A STATE STATUTE**

Pursuant to Fed. R. Civ. P. 5.1(a), Plaintiff Eugene Volokh respectfully files this Notice of Constitutional Challenge to a State Statute. In support thereof, Plaintiff states as follows:

1. Plaintiff filed this action on June 24, 2025. (D.E. #1.) In the Complaint, Plaintiff alleges that the citizenship requirement of the Tennessee Public Records Act (“TPRA”) violates the First Amendment and the Privileges and Immunities Clause of the United States Constitution when applied to state judicial records. *See* Tenn. Code Ann. § 10-7-

503(a)(2)(A) (limiting the right to inspect public records to “any citizen of this state”).

On June 25, 2025, Plaintiff filed a Motion for Preliminary Injunction that also raises the constitutional challenges to TPRA’s citizenship requirement. (D.E. #7.) On June 27, 2025, Plaintiff withdrew his Motion for Preliminary Injunction. (D.E. #8.)

2. Plaintiff files this Notice in compliance with Fed. R. Civ. P. 5.1(a)(1)(B) to alert the Court and all necessary parties that through this action, and as reflected in Plaintiff’s Complaint, Plaintiff is challenging the constitutionality of Tenn. Code Ann. § 10-7-503(a)(2)(A) because it restricts access to state judicial records on the basis of state citizenship in violation of the First Amendment and the Privileges and Immunities Clause of the United States Constitution.
3. In compliance with Fed. R. Civ. P. 5.1(a)(2), Plaintiff will serve the Tennessee Attorney General via certified mail with all papers required by the rule.

Respectfully submitted,

/s/ Susan L. Kay

SUSAN L. KAY (BPR# 006630)

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* *Motions for admission forthcoming*

Counsel for Eugene Volokh

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served on Defendant's counsel via email at the email address listed below on this June 27, 2025.

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/s/ Ryan Riedmueller
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